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TAGS: [EAID](#) [PHUM](#) [PREL](#) [KE](#)  
SUBJECT: KENYA IDP RETURN OPERATION OVERVIEW

REFS: A) NAIROBI 1213  
B) NAIROBI 1299  
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SUMMARY  
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1. (U) The pace of internally displaced person (IDP) returns from host communities and formal camps has slowed significantly following an initial surge of predominately agricultural IDP returns to pre-crisis areas. The Government of Kenya (GOK) stated during the month of June that all formal IDP camps must close as of the end of June, yet nearly 69,000 individuals remain in more than 100 camps as of July 1. In addition, the recent proliferation of transit sites near pre-crisis homes has complicated humanitarian service delivery.

2. (U) The GOK policy on IDP returns remains unclear to the international community, and aid agencies working in affected areas have noted a lack of coordination, even among GOK district commissioners (DCs), regarding camp closures. USAID Office of U.S. Foreign Disaster Assistance (USAID/OFDA) humanitarian advisors continue to monitor the situation and advocate for increased coordination among GOK representatives and between the GOK and the international humanitarian community.

3. (U) We have weighed in strongly with the Kenyan government against any forced returns and/or premature closing of camps. See paragraph 21 for the text of the Ambassador's letter to Prime Minister Odinga and Minister of Special Programs Shaban. End Summary.

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BACKGROUND  
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¶4. (U) According to the Kenya Red Cross Society (KRCS), the number of IDPs residing in official camps decreased from 158,891 to 68,519 individuals between May 2 and July 1, and the number of camps declined from 157 to 101. However, as of July 1, more than 109,000 of the returning IDPs had settled in 172 transit sites near their pre-crisis homes as a result of security concerns and a lack of resources at home sites, according to the Office of the U.N. High Commissioner for Refugees. [Note: Numbers and population figures for transit sites vary significantly, due to the lack of humanitarian access to and coordinated registration in these sites. End note.]

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REASONS FOR RETURNS AND RELUCTANCE TO RETURN  
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¶5. (SBU) While the June 30 deadline for Rudi Nyumbani, or Operation Return Home, has passed, humanitarian agencies agree that the GOK continues to desire the closure of official camps, particularly large camps in Naivasha and Nakuru districts. The GOK is pressing for these camps to close for several reasons. First, the GOK believes that the camps contain criminal elements posing as IDPs. Second, the GOK sees the urban camps as becoming increasingly politicized, with IDPs demanding more compensation and using the media spotlight to place pressure on the GOK. Third, the GOK desires IDPs to return to their livelihoods, particularly those individuals who the GOK believes are in the camps to take advantage of free services. Fourth, the GOK wants to use the land that the camps are currently utilizing as it was originally intended (e.g. the Agricultural Society of Kenya land in Nakuru for the upcoming agricultural show in July).

¶6. (U) GOK promises to IDPs, whether realistic or not, have led IDPs to leave official camps. Promises vary from one minister's

promise that the GOK will provide a three-bedroom house for every IDP family, to the more attainable package of KSH 10,000, or approximately USD 150, a tent, and two blankets for remaining IDPs to return to pre-crisis homes.

¶7. (U) The return operation to date has been largely voluntary, with predominantly agricultural IDPs returning to farming in pre-crisis areas or from transit sites nearby. These farmers, many of whom were anxious to begin planting crops during the appropriate planting season, either have returned spontaneously without GOK assistance or have received GOK assistance packages before returning to pre-crisis areas.

¶8. (SBU) However, USAID/OFDA staff have received reports of strong GOK pressure and intimidation employed to encourage IDPs to return to pre-crisis areas in some locations, including Kitale and Endebess, Trans Nzoia District (REFTEL B). USAID/OFDA has not received further reports of direct intimidation of IDPs but note that camp closure deadlines, as well as offers of cash, can coerce IDPs who have no other place to go out of camps and into more marginal living situations.

¶9. (U) IDPs who are reluctant to return are predominately business people, landless individuals, laborers, and renters, who either have no place to go or fear insecurity in re-establishing businesses and homes in pre-crisis areas. For other IDPs, official camps are more comfortable than their pre-crisis homes. Some IDPs are waiting for GOK compensation for their losses during the post-election violence.

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GROWING TRANSIT CAMPS AN UNSUSTAINABLE SOLUTION  
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¶10. (U) According to the U.N. Office for the Coordination of Humanitarian Affairs, (OCHA), many IDPs leaving official camps are settling in transit sites, rather than returning directly to pre-crisis homes. The majority of transit sites, which range in size from eight families to 9,000 individuals, lack a sustained humanitarian presence, and some lack basic services. The numerous transit sites are difficult, economically and logistically, to support. The GOK has provided food rations and other forms of

assistance for IDPs in most transit sites, but systematic service provision is not in place and the GOK has not articulated a policy or strategy for dealing with them at any level.

¶11. (U) The duration of these sites remains unclear, and some could form into permanent villages. Since the transit sites are often located on private land, the creation of new villages on the sites could present future legal and humanitarian challenges.

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LACK OF COORDINATION HAMPERS RETURN PROCESS  
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¶12. (U) The abrupt nature of the GOK plan to close camps and return individuals to pre-crisis homes, unattainable promises made by the GOK to IDPs, and the lack of GOK coordination with the international community led to inadequate preparation in some return areas and significant concern regarding the sustainability of the return process. The lack of GOK coordination with the humanitarian community is exacerbated by parallel structures for the response, including the U.N. Cluster system, sector-based meetings, and KRCS efforts. With a lack of clear leadership on the part of the central government, district and local officials interpret the GOK directive to close camps in very different ways, leading to inconsistent strategies for IDP returns.

¶13. (SBU) Several aid agencies believe the strong directives to close camps come from senior officials in the Office of the President, not associated with the Ministry of State for Special

Programs, which has the GOK lead for humanitarian provision following the post-election violence. According to these organizations, the Ministry of State for Special Programs is implementing orders from others and is aware of the problems that this plan has created.

¶14. (SBU) Whichever section of the GOK is determining and directing the return project, it has not clearly communicated a comprehensive message on the GOK plan to the humanitarian community or to the provincial administration charged with implementing the camp closures and return of IDPs.

¶15. (U) Field staff assessing camps in Naivasha and Nakuru districts have reported that DCs change their messages about the continuation or closure of camps daily, if not multiple times per day. Since the decision to close or delay closing official camps is so variable, it is increasingly difficult to determine the overall GOK plan for returns and camp closures.

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SUCCESS OF RETURNS VARIES BY LOCATION  
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¶16. (U) Since May 2, USAID/OFDA humanitarian advisors have been conducting field assessments in affected areas, including Nakuru, Trans Nzoia, Koibatek, Kwana, and Uasin Gishu districts, to monitor return operations and facilitate information sharing with implementing partners and U.N. agencies. The advisors have reported that return operations have had varying levels of organization and success in different locations, as described in REFTEL D.

¶17. (U) In addition, the composition of each camp is different, leading to differences in IDP response to camp closures. Aid workers note that, in some cases, camp closure is an appropriate step, given the resumption of camp residents' livelihoods in pre-crisis areas. In other cases, most individuals currently remaining in the official IDP camps are business people, landless individuals, and IDPs with no place to return due to localized tensions. Unfortunately, return operations and livelihoods programs largely lack plans for the return of non-farming IDPs.

¶18. (U) During the week of June 23, local media reported that IDPs in Kedong camp in Naivasha District were protesting the Kenya Red Cross Society (KRCS) plan to cease services in the camp by June 30. More than 80 percent of IDP families in Kedong camp work in flower farms and have received stipends from their employers since the onset of the crisis. KRCS and OCHA representatives noted that IDPs were

reluctant to let go of free services and that the GOK could have closed Kedong camp several months ago, since the large majority of the camp's residents had steady income. As of July 6, Kedong camp is closed.

¶19. (SBU) The security situation in Nakuru remains tense after the abduction of an IDP chairperson at the Nakuru Showground camp during the weekend of June 20-22. In response to a demonstration to protest the disappearance of the IDP chairperson, police allegedly shot live bullets into the demonstrating IDPs, seriously injuring two individuals, one of whom died one week later. The IDP chairperson, who sustained burns and severe beatings and whose life was threatened during his captivity, was later released. Although local officials initially worked to keep the matter quiet and accused KRCS of lying to incite the IDPs, the GOK investigated and eventually transferred several district officials, including the DC.

During the week of June 23, the GOK announced plans to close the camp and provide assistance packages, including KSH 10,000 per family, to the IDPs.

¶20. (U) The level and success of reconciliation efforts also varies by community. Churches, community leaders, and non-governmental organizations are leading reconciliation efforts in certain areas, while the GOK has done very little to promote peace building in

affected communities to date. The lack of community-based reconciliation in some areas has produced isolated incidents of IDPs forced to return to camps by community members in their pre-crisis homes, as occurred in Eldoret during the week of June 16. During the week of June 23, one IDP returnee was killed in Eldoret. Humanitarian agencies note that the killing could magnify concerns IDPs are expressing about remaining tensions in their pre-crisis communities.

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AMBASSADOR LETTER TO PRIME MINISTER  
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¶21. (U) On June 30, Ambassador Michael E. Ranneberger addressed a letter to Prime Minister Raila Odinga and Minister of State for Special Programs Naomi Shaban, urging the GOK to provide a clear, phased approach for IDP returns from official and transit camps and transparent coordination with the humanitarian community. Below is the text of the letter from Ambassador Ranneberger addressed to Prime Minister Odinga, dated June 30, 2008.

¶22. (U) Begin text. As you know, the United States has been at the forefront to provide humanitarian assistance to internally displaced persons and to assist in their orderly, voluntary return to their homes. You'll recall receiving a copy of my May 15 letter to Minister Shaban on this subject.

It has come to our attention through our extensive field assessments and other sources that, in some area, Government of Kenya officials are denying humanitarian services to populations in established camps in order to compel them to leave. The efforts of some local officials to accelerate the pace of returns by withholding food distributions and services violates international norms and raises grave concerns.

The United States urges the Government of Kenya to take the following steps to address the issue:

1) There is an urgent need for a clearly outlined, phased approach for the IDP returns from both the main and satellite camps. This approach must meet the basic humanitarian needs of agricultural, small business holder, and landless IDP populations, recognizing that each of these distinct groups have special needs that must be addressed to ensure their safe return to pre-crisis status.

2) All returns should be completely voluntary with no threats or intimidation tactics employed by the district-level officials. We have observed specific incidents in multiple locations whereby IDPs are coerced or threatened directly or through the withholding of food, water, and other relief services.

3) The Government should be willing to provide support, and allow humanitarian agencies to continue providing support, at the main

camps, as well as satellite and transit camps.

4) It is critical that the GOK works closely with the donor, U.N., local and international non-governmental organizations, religious and community groups in the planning of the phased return strategy. It is currently not clear to the international community what the official Government of Kenya policy, strategy, and timeline for returns is. We understand that the timeline for closing main IDP camps is currently left to the discretion of the relevant district officials and has resulted in inconsistent strategies and mechanisms for IDP returns.

5) Intensifying peace conciliation efforts is essential in order to facilitate the return of people to their homes.

I look forward to our continued cooperation. End text.

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CONCLUSION  
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¶23. (U) While the GOK is beginning to deliver on promises to provide assistance packages for IDP families who return to pre-crisis areas, the lack of full coordination with the humanitarian community and the unchecked and ad-hoc proliferation of transit sites are complicating monitoring and assistance efforts. In addition, the lack of sustained and successful reconciliation programs in some local communities jeopardizes the sustainability of returns, as well as the potential of future returns from transit sites.

¶24. (U) The U.S. Government will continue to monitor the situation and urge the GOK to provide a clear, phased approach for IDP returns without coercion or intimidation in order to address the needs of all IDPs.

RANNEBERGER